

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DENNIS C. RICCI,)	
)	
Plaintiff)	
)	
v.)	Case 3:09-0645
)	Judge Nixon/Brown
)	Jury Demand
RAPID RESTORATION, LLC,)	
)	
Defendant)	

O R D E R

A telephone conference was held with the parties in this matter on October 21, 2010, concerning the reopening of discovery to allow the Defendant to take some additional testimony from the Plaintiff concerning a conversation in a parking lot.

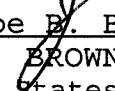
After discussion with the counsel, the Defendant may reopen discovery for the purpose of taking a deposition of the Plaintiff on the issue of the conversation. The time for this deposition shall be limited to one hour and 30 minutes. The deposition must be completed within **30 days** from the date of the entry of this order.

In the event this deposition opens up new material, the Plaintiff will be entitled to take additional depositions, not to exceed one hour and 30 minutes each, for any new topic fairly raised by the deposition of Mr. Ricci.

The parties advised that settlement does not appear possible at the present time. They are reminded that the Magistrate Judge stands ready to assist with settlement at any point.

No additional dispositive motions are anticipated and Judge Nixon has set a trial date in this matter (Docket Entry 28).

It is so ORDERED.


/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge